

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

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In re:

**James Stanley Delong**

S.S. No.: xxx-xx-9146

Mailing Address: 4000 Laurel Drive, Durham, NC 27703-

**Case No. 09-82038**

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Debtor.

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**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtor has filed for relief under Chapter 13 of the United States Bankruptcy Code on November 16, 2009.

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtor's proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: December 8, 2009

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

John T. Orcutt  
N.C. State Bar No. 10212  
Counsel for the Debtor  
6616-203 Six Forks Rd.  
Raleigh, N.C. 27615  
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

# CH. 13 PLAN - DEBTS SHEET (MIDDLE DISTRICT - DESARDI VERSION)

Date: 8/30/09

Lastname-SS#: DelongRefile-9416

## RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN

## SURRENDER COLLATERAL

Creditor Name	Sch D #	Description of Collateral

Creditor Name	Description of Collateral

## ARREARAGE CLAIMS

## REJECTED INEFFECTORY CONTRACTS & LIAS

Creditor Name	Sch D #	Arrearage Amount	(See †)
			**
			**
			**
			**
			**
Chase Mortgage	1	\$11,583	**
			**
			**
			**

Creditor Name	Description of Collateral

## 1.1D - DON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS

Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
Chase Mortgage	1	\$1,254	N/A	n/a	\$1,254.00	Home and Land
			N/A	n/a		
			N/A	n/a		
			N/A	n/a		

## SID - SECURED DEBTS @ FMV

Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
			6.00			
			6.00			
			6.00			
			6.00			

## SID - SECURED DEBTS @ 100%

Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
			6.00			
			6.00			
			6.00			
			6.00			
			6.00			

ATTORNEY FEE (if unpaid part)	Amount
Law Offices of John T. Orcutt, P.C.	\$2,500
SECURED TAXES	Secured Amt
IRS Tax Liens	
Real Property Taxes on Retained Realty	
UNSECURED PRIORITY DEBTS	Amount
IRS Taxes	
State Taxes	
Personal Property Taxes	\$77
Alimony or Child Support Arrearage	
CO-SIGN PROTECT (Pay 100%)	Int. Rate Payoff Amt
All Co-Sign Protect Debts (See*)	
GENERAL NON-PRIORITY UNSECURED	Amount
DMI- None(\$0)	None(\$0)

## PROPOSED CHAPTER 13 PLAN PAYMENT

\$ **\$1,593** per month for **59** months, then

\$ **N/A** per month for **N/A** months.

Adequate Protection Payment Period: **4.81** months.

Sch D # = The number of the secured debt as listed on Schedule D.

Adequate Protection = Monthly 'Adequate Protection' payment amt.

† = May include up to 2 post-petition payments.

\* Co-sign protect on all debts so designated on the filed schedules.

\*\* = Greater of DMI x ACP or EAE (Page 4 of 4)

Ch13Plan\_MD\_(New\_DeSardi) (6/24/09) © John T. Orcutt

## Other Miscellaneous Provisions

Plan to allow for 3 "waivers".

## **CERTIFICATE OF SERVICE**

I, Charlene Free, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s Charlene Free

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Charlene Free

North Carolina Department of Revenue  
c/o NC Department of Justice  
Post Office Box 629  
Raleigh, NC 27602-0629

Internal Revenue Service (ED)\*\*  
Post Office Box 21126  
Philadelphia, PA 19114-0326

Durham County Tax Collector  
Post Office Box 3397  
Durham, NC 27701

Employment Security Commission  
Attn: Benefit Payment Control  
Post Office Box 26504  
Raleigh, NC 27611-6504

US Attorney's Office (ED)\*\*  
310 New Bern Avenue  
Suite 800, Federal Building  
Raleigh, NC 27601-1461

Internal Revenue Service\*\*  
P.O. Box 21126  
Philadelphia, PA 19114

Credit Bureau  
Post Office Box 26140  
Greensboro, NC 27402

Brock & Scott PLLC \*\*  
5431 Oleander Drive  
Suite 200  
Wilmington, NC 28403-5835

Law Offices of John T. Orcutt  
6616-203 Six Forks Road  
Raleigh, NC 27615

NC Child Support  
Centralized Collections  
Post Office Box 900006  
Raleigh, NC 27675-9006

Chase Manhattan Mortgage  
200 Old Wilson Bridge Road  
Worthington, OH 43085-8500

Lisa S. Campbell, Attorney at La  
PO Box 4006  
Wilmington, NC 28406

Equifax Information Systems LLC  
P.O. Box 740241  
Atlanta, GA 30374-0241

Chase Mortgage  
101 East Town Street  
Columbus, OH 43215

Lvnvfundg  
Post Office Box 10584  
Bamberg, SC 29003

Experian  
P.O. Box 2002  
Allen, TX 75013-2002

Child Support Enforcement  
Post Office Box 20800  
Raleigh, NC 27619-0800

Lvnvfunding  
Post Office Box 10584  
Greenville, SC 29603

Innovis Data Solutions  
Attn: Consumer Assistance  
P.O. Box 1534  
Columbus, OH 43216-1534

Credit Bureau of Greensboro\*\*  
Post Office Box 26140  
Greensboro, NC 27402-0040

Midland  
5575 Roscoe Court  
San Diego, CA 91823

Trans Union Corporation  
P.O. Box 2000  
Crum Lynne, PA 19022-2000

CSDDUR  
Post Office Box 530  
Durham, NC 27702-0530

Midland Credit Management  
Post Office Box 939019  
San Diego, CA 92193-9019

ChexSystems  
Attn: Consumer Relations  
7805 Hudson Road, Ste. 100  
Woodbury, MN 55125

Duke Primary Care  
Post Office Box 70841  
Charlotte, NC 28272-0841

North Carolina Department of Re  
c/o Reginald S. Hinton  
Post Office Box 25000  
Raleigh, NC 27640-5000

North Carolina Dept of Revenue\*\*  
Post Office Box 1168  
Raleigh, NC 27602-1168

Plaza Associates  
370 Seventh Avenue  
Suite 1500  
New York, NY 10001-3900

Sun Trust  
1001 Semmes Avenue  
Post Office Box 27172  
Richmond, VA 23224

Unifund  
10625 Techwoods Circle  
Cincinnati, OH 45242

Unifund Co  
10751 Montgomery Road  
Cincinnati, OH 45242

US Attorney's Office (MD)\*\*  
Middle District  
Post Office Box 1858  
Greensboro, NC 27502-1858

Verizon NC  
236 E Town St  
#170  
Columbus, OH 43215